



Meagen E. Leary (SBN: 233103)  
Marcus O. Colabianchi (SBN: 208698)  
Geoffrey A. Heaton (SBN: 206990)  
**DUANE MORRIS LLP**  
One Market Plaza  
Spear Street Tower, Suite 2200  
San Francisco, CA 94105-1127  
Telephone: (415) 957-3000  
Facsimile: (415) 957-3001  
Email: gheaton@duanemorris.com

The following constitutes the order of the Court.  
Signed: October 13, 2021

A handwritten signature of Stephen L. Johnson in black ink.

Stephen L. Johnson  
U.S. Bankruptcy Judge

Attorneys for Secured Creditor  
5150 ECR LOS ALTOS, LLC

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

In re  
  
5150 ECR GROUP LLC,  
  
Debtor.

Case No. 21-51196 SLJ

Chapter 11

**ORDER GRANTING MOTION TO  
DISMISS CHAPTER 11 CASE WITH 180-  
DAY BAR TO RE-FILING**

Date: October 7, 2021  
Time: 2:30 p.m.  
Place: Via Video or Teleconference  
United States Bankruptcy Court  
280 South First Street  
Courtroom 9  
San Jose, California 95113

The hearing on 5150 ECR Los Altos, LLC's ("Secured Creditor") Motion to Dismiss Chapter 11 Case, or, in the Alternative, Excuse Receiver from Turnover Requirements of 11 U.S.C. § 543 [Doc# 15] ("Motion") came for hearing before the captioned Court on the date and time set forth above. Marcus O. Colabianchi and Geoffrey A. Heaton, Duane Morris LLP, appeared on behalf of Secured Creditor. Vinod Nichani, Nichani Law Firm, appeared on behalf of debtor 5150 ECR Group LLC ("Debtor"). Suhey Ramirez appeared on behalf of the United States Trustee ("U.S. Trustee"). Kathryn S. Diemer, Diemer & Wei LLP, appeared on behalf of Palo Alto University ("PAU").

1 The Court, having reviewed the Motion, the oppositions (“Oppositions”) to the Motion  
2 filed by the Debtor and U.S. Trustee, PAU’s joinder in the Motion, Secured Creditor’s omnibus  
3 reply to the Oppositions, and the supporting declarations and documents to the foregoing, and for  
4 reasons set forth on the record, rules as follows:

5 **IT IS HEREBY ORDERED:**

- 6 1. The Motion is granted.
- 7 2. The captioned bankruptcy case is dismissed for “cause” under 11 U.S.C.  
8 § 1112(b).
- 9 3. The Debtor is barred from filing any further bankruptcy case for a period of 180  
10 days from the entry of this order.
- 11 4. In light of the dismissal of this case, the relief requested in the Motion under  
12 11 U.S.C. § 543(d) is moot.

13  
14 **\*\*\* END OF ORDER \*\*\***  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**COURT SERVICE LIST**

[All parties entitled to notice are ECF registered in this case.]